

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
WESTERN DIVISION**

HENRY LEWIS PATTERSON, "H.L."

PLAINTIFF

VERSUS

CIVIL ACTION NO. 5:10-CV-00153-DCB-JMR

YAZOO CITY, MISSISSIPPI;  
YAZOO COUNTY, MISSISSIPPI; and  
YAZOO RECREATION COMMISSION

DEFENDANTS

**ORDER ON EVIDENTIARY HEARING**

This Order concerns the matters to be addressed at the evidentiary hearing scheduled for October 12, 2011. Plaintiff has moved for summary judgment on his Due Process claim [doc. no. 4]. Defendant Yazoo Recreation Commission has moved for summary judgment on all claims [doc. no. 108]. Defendant Yazoo County has likewise requested summary judgment on all issues [doc. no. 112]. Defendant Yazoo City has asked for summary judgment on Plaintiff's ADA and ADEA claims only, conceding that there may be a genuine issue of fact with respect to Plaintiff's Due Process claim [doc. no. 105]. Accordingly, all Parties should be prepared to submit evidence and testimony concerning (1) whether Plaintiff was fired for work-related reasons; (2) whether Plaintiff was provided an opportunity to address his alleged job-performance deficiencies prior to the termination of his employment; and (3) whether Plaintiff was in fact employed by Yazoo City and Yazoo County.

**SO ORDERED**, this the 8th day of September 2011.

/s/David Bramlette

UNITED STATES DISTRICT JUDGE